

Re. Point V

IAP6 Rec'd PCT/PTO 13 FEB 2006

Reasoned statement with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statements

1. Reference is made to the following documents:

D1: 02/13482 B6 (Siemens Aktiengesellschaft; VOLKMANN, FRANK; TALANIS, THOMAS; SEBALD,) 14 February 2002 (2002-02-14)

D2: DE 100 00 609 A1 (GIRA GIERSEIPEN GmbH & CO KG) 12 July 2001 (2001-07-12)

D3: EP-A-1 249 747 (PATRIA AILON) 16 October 2002 (2002-10-16)

2. The solution proposed in claim 1 of the present application cannot be regarded as inventive for the following reason (Article 33(3) PCT):

Document D1, which is considered as the closest prior art, discloses (the references in brackets relate to D1) provided the object of claim 1 is clear:

An HMI system with at least one operating and monitoring device for the automation components of a technical installation, with

- data transmission between the operating and monitoring device and the automation components (page 4, line 35 - page 5, line 7), and with
- a first firewall for securing data transmission from the automation components to the mobile operating and monitoring device and a second firewall for securing data transmission from the mobile operating and monitoring device to the automation components (page 5,

lines 16-19; Figure 1, reference symbols 2 and 3).

The object of claim 1 differs from the disclosure of D1 in that the operating and monitoring device is mobile is and that the data is transmitted wirelessly between the operating and monitoring device and the component over a radio link.

This difference relates to the problem of transmitting data independently of wired connections.

The solution specified in the application, that the data is transmitted wirelessly from the automation components to the mobile operating and monitoring device, is obvious to the person skilled in the art, a fact confirmed by the teaching of D2 (e.g. column 2, lines 58-62), i.e. the person skilled in the art would arrive at the solution without any inventive step.

A juxtaposition of different subsystems into an overall system without interaction between the subsystems also does not contribute to an inventive step of the overall system. The function of the system is also given if data is transmitted over a wired connection, similarly the function is given if the data is transmitted without being secured by means of a first and a second firewall. The use of a radius server also has no effect on the function of the system.

3. Each of the documents D2 (e.g. column 2, lines 42-66) and D3 (e.g. paragraphs 8, 17) is also suitable for establishing that the object of claim 1 is not inventive (Article 33(3) PCT).
4. The additional features of the dependent claims 2-9 do not add anything inventive to claim 1, since these features are

known either from D1 (e.g. the security procedures at least have the same effect in the first and second firewall), D2 (e.g. the automation components feature a radio interface for connection to the radio link), D4 (e.g. RADIUS server) or normal technical measures (e.g. the first firewall is integrated into the mobile operating and monitoring device) are obvious to a person skilled in the art.

**Re. Point VII**

**Specific deficiencies of the international application**

1. The independent claim 1 is not entered in the two-part form in accordance with Rule 6.3 b) PCT with the features known in connection with each other from the prior art  
  
(document D1) being summarized in the preamble (Rule 6.3 b) I) PCT) and the other features being listed in the identifying part (Rule 6.3 b) ii) PCT).
2. By contrast with the requirements of Rule 5.1 a) ii) PCT, neither the appropriate prior art disclosed in the documents D1-D3 nor these documents are specified in the description.
3. In accordance with Rule 11.13 m) PCT the same feature must be provided with the same reference symbol throughout the application. This requirements is not met by the use of the reference symbols "SP", page 5, lines 17 and 20 and "SB", drawing 1.

**Re. Point VIII**

**Specific remarks about the international application**

1. The abbreviation HMI used in claim 1 is not unique and should thus be written out at least once as Human Machine Interface.

2. The expressions used

- "HMI system", used in claim 1;
- "Security procedures", used in claim 2;
- "matching each or at least having the same effect" used in claim 2;
- "the mobile operating and monitoring device is encapsulated"; used in claim 4;

are vague and leave the reader uncertain about the meaning of the technical features concerned.

Note on the term HMI system: It is not clear whether the entire system consisting of the named components or the mobile operating and monitoring device per se is meant or not.

Note on the term security procedures: As a result of the plurality of possible security procedures it is not clear which of the security procedures are being used.

3. There is no definition of the term "the automation components" used in claim 1.
4. It is not clear whether the same entity is meant or not with the terms "wireless data transmission" and "data transmission" used in claim 1.